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MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

WILD MONTANA, and MONTANA
WILDLIFE FEDERATION,

Petitioners,

v.

GREG GIANFORTE, in his official
capacity as GOVERNOR OF THE
STATE OF MONTANA; and CHRISTI
JACOBSEN, in her official capacity as
SECRETARY OF STATE

Respondents.

Cause No. DV-25-2023-411

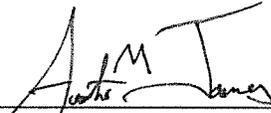
RESPONDENT CHRISTI JACOBSEN'S
MOTION TO DISMISS PETITIONERS'
PETITION FOR DECLARATORY
JUDGMENT AND APPLICATION FOR
WRIT OF MANDATE

Respondent, Christi Jacobsen, in her official capacity as Secretary of State, by and through her counsel of record, moves the Court, pursuant to Montana Rules of Civil Procedure Rule 12(b)(6) and/or Rule 12(b)(1) for an Order dismissing the Secretary of State as a party from Petitioners' *Petition for Declaratory Judgment and Application for Writ of Mandate*.

A proposed Order has been submitted for the Court's consideration.

DATED this 14 day of July, 2023.

MONTANA SECRETARY OF STATE

A handwritten signature in black ink, appearing to read "Austin Markus James". The signature is written in a cursive style with a large initial "A" and "M".

AUSTIN MARKUS JAMES

CLAY R. LELAND

Attorneys for Secretary of State

CERTIFICATE OF SERVICE

I, Clay R. Leland, hereby certify that on the 14 day of July, 2023, I have served true and accurate copies of the foregoing Motion - RESPONDENT CHRISTI JACOBSEN'S MOTION TO DISMISS PETITIONERS' PETITION FOR DECLARATORY JUDGMENT AND APPLICATION FOR WRIT OF MANDATE - to the following persons at the addresses set out below their names:

Constance Van Kley
Rylee Sommers-Flanagan
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P.O. Box 31
Helena, MT 59624
constance@uppersevenlaw.com
rylee@uppersevenlaw.com
Representing: WILD MONTANA, and MONTANA WILDLIFE FEDERATION
Service Method: Traditional.

GREG GIANFORTE, in his official capacity as GOVERNOR OF THE STATE OF MONTANA
Service Method: Hand Delivery.



AUSTIN MARKUS JAMES
CLAY R. LELAND
ATTORNEYS FOR SECRETARY OF STATE

CERTIFICATE OF SERVICE

I, Austin Markus James, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to Dismiss to the following on 07-14-2023:

Anita Yvonne Milanovich (Attorney)
1301 E 6TH AVE
HELENA MT 59601-3875
Representing: Montana Governor Gianforte
Service Method: eService

Austin Markus James (Attorney)
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Rylee Sommers-Flanagan (Attorney)
1008 Breckenridge St.
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Representing: Montana Wildlife Federation, Wild Montana
Service Method: First Class Mail

Constance Van Kley (Attorney)
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Electronically Signed By: Austin Markus James
Dated: 07-14-2023